

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

AT&T CORP. and
TELE-COMMUNICATIONS, INC.,

Defendants.

Case Number: No.98-CV03170

Judge Emmet G. Sullivan

**UNITED STATES' CERTIFICATE OF
COMPLIANCE WITH THE PROVISIONS OF THE
ANTITRUST PROCEDURES AND PENALTIES ACT**

Plaintiff United States of America hereby certifies that it has complied with the provisions of the Antitrust Procedures and Penalties Act, 15 U.S.C.A. § 16 (b)-(h) (West 1997) ("APPA") in preparation for entry of a final judgment, and states:

1. On December 30, 1998, plaintiff and defendants stipulated to the entry of the proposed Final Judgment after compliance with the requirements of the APPA, assuming plaintiff had not withdrawn its consent.

2. The stipulation and proposed Final Judgment were filed with the Court on December 30, 1998, and the Competitive Impact Statement ("CIS") was also filed with the Court on December 30, 1998.

3. Pursuant to 15 U.S.C.A. § 16(b), the stipulation, proposed Final Judgment and CIS were published in the Federal Register on January 14, 1999, 64 Fed. Reg. 2506.

4. Pursuant to 15 U.S.C.A. § 16(c), a summary of the terms of the proposed Final Judgment and CIS was published in the Washington Post, a newspaper of general circulation in the District of Columbia, during the period January 10, 1999, through January 17, 1999.

5. The sixty-day period prescribed by 15 U.S.C.A. § 16(b) and (d) for the receipt and consideration of written comments commenced on January 14, 1999 and expired on March 14, 1999.

6. The United States received and responded to one public comment on the proposed Final Judgment. In response to that comment, the United States and defendants agreed to modify the Final Judgment with a filed stipulation thereto. The comment, Plaintiff's Response to Public Comment, the second stipulation and Final Judgment as modified were filed with the Court. The comment and Plaintiff's Reply to Comment were published in the Federal Register on May 4, 1999, 64 FR 23869.

7. Pursuant to 15 U.S.C.A. § 16(b), the United States furnished to requesting parties copies of the CIS, as well as copies of the Complaint, the proposed Final Judgment, and the modified proposed Final Judgment.

8. Defendants TCI and AT&T submitted to the Court their certificates of compliance with 15 U.S.C.A. § 16(g) on January 7, 1999 and July 14, 1999, respectively, both describing communications by or on behalf of Defendants relating to the proposed Final Judgment with officers or employees of the United States.

9. The parties have now satisfied all of the requirements imposed upon them by the APPA as a condition for entry of the proposed Final Judgment.

10. The United States, having not withdrawn its consent to the proposed modification, now asks this Court to make its public interest determination and enter the Final Judgment without further hearings.

Dated this 15th day of July, 1999.

Respectfully submitted,

/s/

Peter A. Gray
Member of The Pennsylvania Bar, # 57628

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing PLAINTIFF'S Certificate of Compliance with the Provisions of the Antitrust Procedures and Penalties Act were served by hand and/or first-class U.S. mail, postage prepaid, this 15th day of July, 1999 upon each of the parties listed below:

Betsy Brady, Esq., (by hand)
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S
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